

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
MARCH 28, 2005

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Tony Mitchell
INVOCATION	Reverend Terence L. Taylor Mount Joyner Missionary Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

BOLTON ADOPTED	March 14, 2005
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C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

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| HOOKS
ADOPTED | 1. Memorial Resolution honoring Mr. J.P. Murrell. |
| HOOKS
ADOPTED | 2. Resolution commending the Southwind Middle School Girls Basketball Team and coaches Michelle Nelson and Debra Nugent on winning the 2005 Tennessee Middle School Athletic Association Regional Championship. |
| HOOKS
ADOPTED | 3. Resolution commending the Southwind Middle School Boys Basketball Team and Coach Paul Edwards on winning the 2005 Tennessee Middle School Athletic Association Regional Championship. |

Ordinances

Zoning and Subdivisions

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

4. Resolution calling the Shelby County Board of Equalization into Regular Session for Tax Year 2005 and setting the terms thereof.

**KIRK
ADOPTED**

5. Resolution approving the sale of 16.0 acres of real property located 1,654 feet south of Dexter Road between Bridgewater Road and Appling Road to TR, LLC, for \$337,000.00.

**KIRK
ADOPTED**

6. Resolution approving agreement with CS3, Inc. for the provision of energy and maintenance services at various Shelby County facilities, appropriating funds for energy management improvements at the Shelby County Archives in the amount of \$300,000.00 from the FY 2004/2005 Budget for CIP Project Number 101710, Office Buildings.

**LILLARD
ADOPTED**

7. Resolution authorizing the mayor to sign a Memorandum of Understanding (MOU) with the University of Memphis in creation of a consortium of public agencies for the access and sharing of computer-aided dispatch (CAD) related duties.

**AVERY
ADOPTED**

8. Resolution to approve acceptance of a grant from the Office of the Surgeon General to the Memphis and Shelby County Health Department in the amount of \$50,000.00 for the purpose of developing a Medical Reserve Corps which will be incorporated into the Community Disaster Planning process and Major Public Health Initiative Planning for the period September 30, 2004 – September 29, 2005, and establishing one (1) new FY 2004/2005 Operating Budget.

**THOMPSON
ADOPTED**

9. Resolution amending the FY 2004/2005 Shelby County Operating Budget for the Memphis and Shelby County Juvenile Court as per Exhibit A to facilitate use of unexpended Juvenile Accountability Block Grant Fund 294 proceeds in the amount of \$18,546.00 from Tennessee Commission on Children and youth (TCCY), State of Tennessee, and to facilitate expenditure of local matching funds in the amount of \$2,061.00.

**FLINN
ADOPTED**

10. Resolution supporting the Community Development Block Grant Program by urging Congress to preserve CDBG funding within the U.S. Department of Housing and Urban Development (HUD) and declaring CDBG Week as March 28 – April 3, 2005.

**LOEFFEL
ADOPTED**

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

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| FORD
ADOPTED | 11. Resolution approving the county mayor's nomination of <u>William "Bill" Carrier III</u> and <u>Les Edwards</u> for appointment to the Memphis and Shelby County <i>Film and Television Commission</i> . |
| FORD
ADOPTED | 12. Resolution approving the county mayor's nomination of <u>Jeremy A. Simpson</u> for appointment to the Memphis and Shelby County <i>Depot Redevelopment Corporation</i> for the unexpired term of David Peck. |
| FORD
(DEFERRED
TO 04/20/05
COMMITTEE
MEETING) | 13. Resolution approving the county mayor's nomination of <u>Wesley Grace</u> for reappointment to the Memphis and Shelby County <i>Center City Revenue Finance Corporation</i> . |
| FORD
ADOPTED
(REFERRED TO
04/20/05 COMMITTEE
MEETING) | 14. Resolution to appoint a Judicial Commissioner and set the term of appointment. |
| FORD
ADOPTED | 14A. Resolution amending the agreement between Shelby County Government and Shirley Kyles, Acting Interim Head Start Director, dated October 1, 2004, by extending the agreement for up to three (3) additional months. |

Ordinances

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| MOSS
(DEFERRED
TO 04/25/05) | 15. <u>ORDINANCE – (ZTA 03-002 CC) THIRD READING – A</u> Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance adopted by the Shelby County Board of Commissioners on October 6, 1980, and the Council of the City of Memphis on October 7, 1980; being Joint Ordinance No. 3064, as amended, by amending Section 29 - Signs
Subsection III – Definitions;
Subsection IV – Classification of signs;
Subsection V – Signs prohibited;
Subsection VI – General standards;
Subsection VII – Permanent on-premise sign regulations;
And by creating a new Subsection XII – Violations,
And a new Subsection XIII – Enforcement and Penalties;
amending Section 30 – Nonconformities; Subsection E – Nonconforming on-premise and off-premise signs; providing for severability; providing for repeal of conflicting ordinance requirements; and providing an effective date. |
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Zoning and Subdivisions

**HOOKS
ADOPTED**

- 16. CASE NO. P.D. 04-361 CC**
APPLICANT: **Mark Matthews**
- LOCATION:** **Southwest corner of Houston Levee Road and Gray’s Creek Drainage Canal extending to the west side of Pisgah Road**
- REQUEST:** **Planned development amendment to allow seventeen (17) additional single family homes within the Outline Plan.**
- Memphis and Shelby County Office of Planning and Development recommendation:**
APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:**
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, March 18, 2005.)**

**LOEFFEL
ADOPTED**

- 17. CASE NO. P.D. 04-381 CC**
APPLICANT: **Shelby County Government/TR, LLC**
- LOCATION:** **Western terminus of Dexter Grove Drive; +277.53 feet west of Appling Road**
- REQUEST:** **Residential planned development with a maximum of 92 lots (min. lot size 4,000 sq. ft.)**
- Memphis and Shelby County Office of Planning and Development recommendation:**
APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:**
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, March 18, 2005.)**

**LOEFFEL
(DEFERRED
TO 04/11/05)**

- 18. Resolution approving the appeal of Mr. Daryl K. Thompson seeking to overturn the action of the Memphis and Shelby County Land Use Control Board approving an additional two-year period in which a final plat is required to be filed for Brunswick Farms Subdivision (Case No. S 96-045 CO).**
- LEGAL OWNER:** **WATCO (Wayne Todd, President)**
- APPELLANT:** **Mr. Daryl K. Thompson**

LOCATION: North side of U.S. Highway 70; beginning 845.40 feet east of the intersection of Brunswick Road and U.S. Highway 70

REQUEST: Appeal to overturn the action of the Land Use Control Board approving a two (2) year time extension for the preliminary plat of the Brunswick Farms Subdivision.

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL SUBJECT TO REVISED CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL SUBJECT TO REVISED CONDITIONS

(No notice of public hearing in newspaper of general circulation required; however, notice letters to interested property owners mailed on Friday, February 18, 2005.)

Reports and/or Resolutions for Standing Committees

**KIRK
ADOPTED**

19. Resolution authorizing the issuance of General Obligation Bonds and General Obligation School Bonds of Shelby County, Tennessee, in the aggregate maximum principal amount of not to exceed One Hundred Forty-Five Million Dollars (\$145,000,000.00) to be issued in one or more series, to finance or refinance Public Works projects in Shelby County pursuant to Section 9-21-101, et seq., of the Tennessee Code Annotated and in the case of bonds issued for school purposes pursuant to Section 49-3-1001, et seq., of the Tennessee Code Annotated; authorizing the issuance of Bond Anticipation Notes in anticipation of the issuance of such General Obligation Bonds and General Obligation School Bonds pursuant to the requirements of Part 5 of Chapter 21 of Title 9 of the Tennessee Code Annotated or Capital Outlay Notes pursuant to Part 6 of Chapter 21 of Title 9 of Tennessee Code Annotated; and to pay the costs of issuance and sale of such bonds and providing an effective date.

**KIRK
ADOPTED**

20. Resolution authorizing the issuance of not exceeding Two Hundred Seventy Five Million Dollars (\$275,000,000.00) of Shelby County, Tennessee, Capital Outlay Extendible Municipal Commercial Paper (EMCP) Notes, 2005 Series A pursuant to Section 9-21-601, et seq., of the TCA; providing for the terms of the notes; authorizing the negotiated sale of the notes; appointing an issuing and paying agent; authorizing the execution and delivery of an issuing and paying agency agreement; appointing a dealer for the notes; authorizing the execution and delivery of a dealer agreement; authorizing the execution and delivery of the notes; authorizing the execution and delivery of an Offering Memorandum; appointing financial advisors; authorizing the proper officials of the county to do all things deemed necessary or advisable in connection with the issuance and sale of the notes; and providing an effective date.

**THOMPSON
ADOPTED**

- 21. Resolution establishing the position of Probate Court Public Administrator.**

**BOLTON
(REFERRED TO
COMMITTEE)**

- 22. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An Act to authorize Shelby County to levy and collect a Privilege Tax on development in order to provide that development contribute its fair share of the cost of providing and maintaining public facilities and services made necessary by such development."**

**BOLTON
ADOPTED**

- 23. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the Shelby County Legislative Delegation to support legislation to strengthen the state stalking laws.**

**LILLARD
ADOPTED**

- 23A. Resolution establishing Technical Review Committee to analyze proposals to privatize Shelby County Jail and Corrections Center.**

Announcements/Statements

Adjournment

**LILLARD
ADOPTED**

- 24. Resolution of Adjournment to April 11, 2005, at 1:30 p.m.**

[For questions regarding the Agenda, please call Steve Summerall at 545-4301.]